IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

EDUCATION MANAGEMENT	§	
SERVICES, LLC,	§	
	§	
Plaintiff,	§	CIVIL ACTION NO. 5:15-ev-00075
	§	
V.	§	[Removed from the 288th Judicial
	§	District Court of Bexar County]
MICHAEL J. TRACEY,	§	
	§	
Defendant.	§	
	§	
	\$	

DECLARATION OF MICHAEL J. TRACEY

- I, Michael J. Tracey, hereby declare as follows:
- 1. I am over the age of 21 and am fully competent to testify as to the facts contained in this declaration. The matters stated in this declaration are true and accurate.
 - 2. I am the named Defendant in the above-entitled and numbered action.
- 3. I am currently a contractor for The Nick Vertucci Companies, Inc., which is a Nevada corporation with a principle place of business in California.
- I am a permanent resident of the State of Florida and live at 1117 SE 21st Street,
 Cape Coral, FL 33990.
 - 5. I do not have a registered agent for service of process in Texas.
 - 6. I do not own any real or personal property in Texas.
- 7. I do not own or operate a company based in Texas or regularly conduct business in the State of Texas.
 - 8. I do not have a Texas phone number, bank account or post office box.



9. I have never lived in Texas, nor do I intend to move to Texas.

All statements made in this declaration are made under the penalties of perjury pursuant to 28 U.S.C. §1746.

Dated this 28 day of January, 2015

MICHAEL L TRACEY